

2019R00874/ES

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Brian R. Martinotti
v. :
DOMINIQUE AUSTON : Crim. No. 20-724
: 21 U.S.C. § 846

SUPERSEDING INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

From at least in or around September 2019 through in or around December, 2019, in Essex County, in the District of New Jersey and elsewhere, the defendant,

DOMINIQUE AUSTON,

did knowingly and intentionally conspire and agree with others to distribute and possess with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

In violation of Title 21, United States Code, Section 846.

FORFEITURE ALLEGATION

1. The allegations set forth in this Superseding Information are realleged herein for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of the controlled substance offense charged in this Superseding Information, the defendant,

DOMINIQUE AUSTON,

shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of violating Title 21, United States Code, Section 846, and any property used or intended to be used in any manner or part to commit and to facilitate the commission of the controlled substance offense alleged in this Superseding Information.

SUBSTITUTE ASSETS PROVISION

3. If any of the property described above, as a result of any act or omission of the defendant:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- c) has been placed beyond the jurisdiction of the court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.


PHILIP R. SELLINGER
United States Attorney